

INITIAL CONFERENCE QUESTIONNAIRE

CASE NAME: Clarke v. R.T.D. 52 L.L.C. et al DOCKET NO.: 20-cv-00122-EK-RML

1. Date for completion of automatic disclosures required by Rule 26(a)(1) of the Federal Rules of Civil Procedure, if not yet made: 6/24/2020
2. If additional interrogatories beyond the 25 permitted under Rule 33(a) of the Federal Rules of Civil Procedure are needed, the maximum number by:
plaintiff(s) _____ and defendant(s) _____
3. Maximum number of requests for admission by: plaintiff(s) 10 and defendant(s) 10
4. Number of depositions by plaintiff(s) of: parties 4* non-parties 2 5. Number of depositions by defendant(s) of: parties 2 non-parties 2
*Defendants respectfully object to Plaintiff's request for four (4) party depositions
6. Time limits for depositions: Per Fed.R.Civ.Pro
7. Date for completion of factual discovery: 10/26/2020
8. Number of expert witnesses of plaintiff(s): 0 medical 3* non-medical
Date for expert report(s): 11/30/2020
*Defendants respectfully object to Plaintiff's request for four (4) party depositions
9. Number of expert witnesses of defendant(s): 0 medical 2 non-medical
Date for expert report(s): 11/30/2020
10. Date for completion of expert discovery: 1/25/2021
11. Time for amendment of the pleadings by plaintiff(s) 9/28/2020 or by defendant(s)
12. Number of proposed additional parties to be joined by plaintiff(s) 2 and by defendant(s) 0 and time for completion of joinder:
13. Types of contemplated dispositive motions: plaintiff(s): _____ defendant(s): _____
Motion for Summary Judgment
14. Dates for filing contemplated dispositive motions: plaintiff(s): _____
defendant(s): _____ 3/15/2021
15. Have counsel reached any agreements regarding electronic discovery? If so, please describe at the initial conference.

16. Will the parties *consent to trial before a magistrate judge pursuant to 28 U.S.C. §636?
(Answer no if any party declines to consent without indicating which party has declined.)
Yes No x

17. This case should be ordered to arbitration at the close of discovery No (yes/no)

18. This case should be ordered to mediation (now or at a later date) (yes/no)
(Prior to the Initial Conference, counsel shall discuss with their clients and their adversaries whether arbitration or mediation is appropriate in this case and be prepared to explain their reasons to the court)

Defendants' request an immediate referral to a Magistrate Judge for purposes of a Settlement Conference

Plaintiff's request a referral to this Court's mediation program

* The fillable consent form AO 85 may be found at https://www.nyed.uscourts.gov/forms/all-forms/general_forms and may be filed electronically upon completion prior to the initial conference, or brought to the initial conference and presented to the Court for processing.